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ORIGINAL FILED

MAY 20 1992

LOS ANGELES
SUPERIOR COURT

RECEIVED

MAY 21 1992

HUB LAW OFFICES

16 SUPERIOR COURT OF THE STATE OF CALIFORNIA
17 FOR THE COUNTY OF LOS ANGELES

18 CHURCH OF SCIENTOLOGY)
19 INTERNATIONAL, a California not-)
20 for-profit religious corporation;)
21 Plaintiff,)

22 vs.

23 GERALD ARMSTRONG; DOES 1, through)
24 25, inclusive,)
25 Defendants.)

26) CASE NO. BC 052 395
27) PLAINTIFF'S EVIDENTIARY
28) OBJECTIONS TO DECLARATIONS
OF GERALD ARMSTRONG AND
MICHAEL FLYNN FILED IN
SUPPORT OF AMICUS CURIAE
BRIEF OF JOSEPH YANNY
DATE: May 21, 1992
TIME: 8:30 a.m.
DEPT: 88
MOTION CUTOFF: None
DISCOVERY CUTOFF: None
TRIAL DATE: None

1 Plaintiff Church of Scientology International hereby submits
2 the following evidentiary objections to the declarations of
3 Gerald Armstrong and Michael Flynn purporting to support the
4 amicus curiae brief filed by Joseph Yanny. Plaintiff requests
5 that each and every one of these declarations be deemed
6 inadmissible and disregarded by this Court for purposes of this
7 litigation inasmuch as the declarations lack foundation and
8 authentication, contain hearsay and inadmissible opinions, are
9 largely irrelevant, and are lacking in sufficient probative value
10 under California Evidence Code Section 352.

11 **SPECIFIC OBJECTIONS**

12 1. Plaintiff objects to Exhibits A through H, declarations
13 of Gerald Armstrong of various dates over the last nine years.
14 These declarations consist mainly of self-serving statements made
15 by Gerald Armstrong against plaintiff over a period of years and
16 are objectionable on the grounds they (1) lack relevance to the
17 instant proceeding (2) contain substantial quantities of
18 inadmissible opinion evidence (3) contain substantial quantities
19 of hearsay (4) lack foundation or authentication, and (5) contain
20 material that is inadmissible under Evidence Code Section 352.

21 2. Plaintiff objects to Exhibits A through C, declarations
22 of Michael Flynn of various dates over the last nine years.
23 These declarations consist mainly of self-serving statements made
24 by Gerald Armstrong against plaintiff over a period of years and
25 are objectionable on the grounds they (1) lack relevance to the
26 instant proceeding (2) contain substantial quantities of
27 inadmissible opinion evidence (3) contain substantial quantities
28 of hearsay (4) lack foundation or authentication, and (5) contain

1 material that is inadmissible under Evidence Code Section 352.

2 Plaintiff respectfully requests that the Court sustain
3 plaintiff's objections and deem the documents offered by amicus
4 curiae Yanny inadmissible for all purposes in this litigation.

5 Dated: May 19, 1992

Respectfully submitted,

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BOWLES & MOXON

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By: 
Laurie J. Bartilson

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Andrew H. Wilson
WILSON, RYAN & CAMPILONGO

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Attorneys for Plaintiff
CHURCH OF SCIENTOLOGY
INTERNATIONAL

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PROOF OF SERVICE

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen (18) years and not a party to the within action. My business address is 6255 Sunset Blvd., Suite 2000, Los Angeles, CA 90028

On May 19, 1992, I served the foregoing document described as PLAINTIFF'S EVIDENTIARY OBJECTIONS TO DECLARATIONS OF GERALD ARMSTRONG AND MICHAEL FLYNN FILED IN SUPPORT OF AMICUS CURIAE BRIEF OF JOSEPH YANNY on interested parties in this action as follows:

[] by placing the true copies thereof in sealed envelopes as stated on the attached mailing list;

[X] by placing [] the original [X] a true copy thereof in a sealed envelope addressed as follows:

Paul Morantz **BY HAND**
P.O. Box 511
Pacific Palisades, CA 90272

Graham Berry **BY HAND**
Lewis, D'Amato, Brisbois & Bisgaard
221 N. Figueroa St. Suite 1200
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[x] BY MAIL

[] *I deposited such envelope in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

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it would be deposited with U.S. postal service on that same day with postage thereon fully prepaid at Los Angeles, California in the ordinary course of business. I am aware that on motion of party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing an affidavit.

Executed on May 19, 1992 at Los Angeles, California.

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Executed on May 19, 1992, at Los Angeles, California.

(State) I declare under penalty of the laws of the State of California that the above is true and correct.

(Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Bodo Krauss

Bodo Krauss
Signature

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